

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                 )    Criminal No. 3:06-cr-27  
Plaintiff,                 )  
                                 )    **PRELIMINARY ORDER OF**  
-vs-                         )    **FORFEITURE**  
                               )  
GERALD JEROME JOHNSON, )  
                               )  
Defendant.                 )

WHEREAS, in the Superseding Indictment regarding the above case, the United States sought forfeiture of specific property of the above-captioned defendant, GERALD JEROME JOHNSON, pursuant to Title 21, United States Code, Section 853, as property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violations and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the violation in Count One of the Indictment;

AND AS A RESULT of the guilty verdict on July 27, 2006, of Counts One, Two, and Three of the Superseding Indictment, and the jury's finding that the property is forfeitable, the defendant, GERALD JEROME JOHNSON, shall forfeit to the United States of America all of his right, title and interest to said property;

It is hereby ORDERED, ADJUDGED and DECREED:

1. That all of the defendant's right, title and interest in the following property is hereby forfeited, that the United States is hereby authorized to seize the following

property at the time of sentencing, and it will be forfeited to the United States of America for disposition in accordance with the law, that being:

\$15,150 in United States Currency

2. That all of the aforementioned forfeited property is to be held by the United States Marshal's Service, in their custody and control.

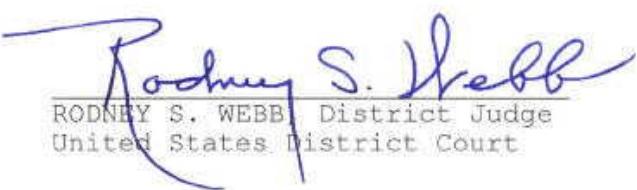
3. That the United States Marshal's Service shall publish at least once for three successive weeks in the Foster County Independent, a newspaper of general circulation where the forfeited property was seized, notice of this Order, notice of the Government's intent to dispose of the property in such manner as the United States may direct and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

ORDERED this 4th day of August 2006.



RODNEY S. WEBB, District Judge  
United States District Court